

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THOMAS L. DAVIS,)	
)	
Petitioner,)	Case No. 1:08-cv-915
)	
v.)	Honorable Paul L. Maloney
)	
UNITED STATES OF AMERICA,)	
)	<u>ORDER OF DISMISSAL</u>
Respondent.)	
)	

This purports to be a habeas corpus action brought by a federal prisoner pursuant to 28 U.S.C. § 2241. On September 13, 1999, a jury in the United States District Court for the Eastern District of Michigan found petitioner guilty on two counts of threatening to murder the President of the United States and two counts of threatening to murder a United States magistrate judge. *See United States v. Davis*, No. 00-1361, 2001 WL 1321243, at * 1 (6th Cir. Oct. 17, 2001). On March 27, 2000, Judge Paul V. Gadola sentenced petitioner to 168 months' imprisonment. Mr. Davis is now confined at the Federal Detention Center in Oakdale, Louisiana. His petition challenges various decisions of the Federal Bureau of Prisons regarding the computation of his sentence, including computation of good-time credits.

Upon review of the petition, the court concludes that jurisdiction over this matter is clearly lacking in the Western District of Michigan. It is well settled that habeas corpus actions brought by a federal prisoner challenging the execution of the prisoner's sentence must be brought in the district of incarceration. *See Rumsfeld v. Padilla*, 542 U.S. 426, 442-47 (2004). As petitioner

is incarcerated in the Eastern District of Louisiana, that court has exclusive jurisdiction over the section 2241 petition. Accordingly:

IT IS ORDERED that the captioned case be and hereby is DISMISSED for lack of subject-matter jurisdiction.

Dated: July 26, 2011

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District Judge